

JUL 18 2005

IFW

ATTORNEY DOCKET NUMBER
004578.1377

PATENT
10/694,873



1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John G. Heston
Serial No. 10/694,873
Filed: October 28, 2003
Confirmation No.: 4101
Title: METHOD AND APPARATUS FOR COMBINING
MULTIPLE INTEGRATED CIRCUITS

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

"EXPRESS MAIL"

Express Mailing Label Number
EV 322275138 US
Date of Deposit July 15, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Willie Jiles
Willie Jiles

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In response to the Restriction Requirement set forth in the Office Action dated June 15, 2005, Applicant elects to proceed with the claims of Group I, that is, Claims 1-14. This election is made with traverse for the reasons that the Examiner has not set forth a prima facie requirement for restriction of Claims 1-24 into two groups.

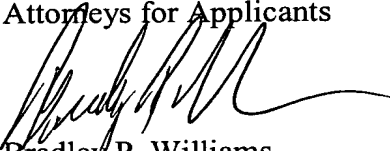
Applicant respectfully traverses this restriction requirement. The Office Action states that "the method can be used to make an apparatus including a third substrate as in Claim 17, which is a materially different product than the apparatus of invention 1," but this is incorrect. The Office Action defines "invention 1" to be Claims 1-14, which includes Claim 3. Claim 3 recites the additional limitation of a third substrate, just as with Claim 17. Further, the statement in the Office Action, even if correct, would be insufficient to justify restriction because the M.P.E.P. requires at both (i) that the process as claimed can be used to make a materially different product, which the Office Action asserts, although incorrectly, and (ii) that the process as claimed is not an obvious process of making the product, on which the Office Action did not opine.

Thus, the restriction is improper because the Office Action (i) does not contend that the process as claimed is not an obvious process of making the product, which is required, and (ii) contends that a product that includes a third substrate is materially different from the product that includes a third substrate, which is clearly incorrect. Further, a comparison of the two identified sets of claims should reveal that it would not be unduly burdensome for the Examiner to search both sets at the same time. Reconsideration and favorable action are requested.

Applicant believes that no fee is due. However, the Commissioner is hereby authorized to charge any fees required by this paper to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Bradley P. Williams
Reg. No. 40,227

Date: July 15, 2005

Correspondence Address:

Customer Number: **45507**